TIP II.?

PRICE ONE CENT.

NEW YORK, SATURDAY, MAY 12, 1894.

PRICE ONE CENT.

Nellie Bly and John Jacob Astor.

Iwo Brooklyn Pier Bills and On

on the Wages of Laborers.

First Interview for Publication Ever Given To-morrow's Sunday World By the Young Man of Millions. See To-morrow's Sunday World

RACE TRACKS WIN THE CASE.

Corporation Counsel McDonald Advises Schieren Not to Interfere.

IVES POOL LAW STILL GOOD

Claims the Decision of the Common Pleas Only Refers to Civil Actions.

BETTING IS NOT LEGALIZED.

siders, Has Been Done Away With by the Legislature.

Corporation Counsel Albert G. Mc-Donald, of Brooklyn, at noon to-day

he Ives Pool law.

"LAW DEPARTMENT.
"OFFICE OF THE
"ATTORNEY AND COUNSEL,
"BROOKLYN, May 12, 1894.
"Hon, Charles A. Schleren, Mayor of
Brooklyn,

"Hon. Charles A. Schleren, Mayor of Brooklyn.

"Sir: After careful consideration I have reached the conclusion that it is not legally the duty of the local authorities to prevent, upon the race courses or grounds of the incorporated racing associations now within the city, the registering of wagers, pool-selling or other acts made penal by sections 351 and 352 of the Penal Code. This conclusion refers only to the limited period or periods in each year during which and at the established race tracks or grounds at which, by chapter 479, Laws of 1887 (commonly known as the Ives Pool law), races are authorized to be conducted and results, because at those times and in those places, by the terms of the act mentioned 'the provisions of sections 351 and 352 of the Penal Code shall not apply."

ply.

The matter seems to have come into question because of a recent decision of the Court of Common Pleas of New York City to the effect that the Ives Pool law in one feature of its real or supposed operation is not constitutional. On examination of the decision in question, I am of the opinion that accepting it for all that it determines it does not condemn or purport to condemn

that part of the law which suspends or temporarily effaces the criminality of the acts made penul by the sections of the acts made penul by the sections of the code above mentioned.

"The case was not a criminal prosecution, not did it touch the criminal aspect of the matter. It was a civil suit to recover upon a promissory note, the consideration of which was an interest in a pool and a bet with a bookmaker at a horse race. The opinion of the Court states that the precise point for adjudication was, whether poolselling and bookmaking on horse races were lotteries within the meaning of the prohibition of section 10 or article 1 of the Constitution, which says: Nor shall any lottery hereafter be authorized or any sale of lottery lickets allowed within this State. And the conclusion was that the statute referred to (chapter 479, Laws of 1887), in so far as it purports to authorize wool-selling is repurpant to the constilotteries within the meaning of the prohibition of section 10 or article 1 of the Constitution, which says: 'Nor shall any lottery hereafter be authorized or any sale of lottery tickets allowed within this State.' And the conclusion was that the statute referred to (chapter 479, Laws of 1887), in so far as it purports to authorize pool-selling, is repugnant to the constitutional prohibition above recited, and is void and of no effect. But Judge Pryor, in his opinion says: 'The specific criminality of the transaction may be effaced, but it remains unlawful, and all contracts implicated with it are void by the express terms of the statute, Judge Bischoff in his opinion says: 'The sole question presented is, Whether in view of these facts payment of the note in suit may or may not be enforced in law.'

Applying these canons of construction to the lives Pool law, I am of the opinion that it was the intention of the Legisiature to withdraw existing penal provisions so far as they might apply to pool-selling at the times and places specified in the act, and not to legalize such sailes. The act, in my opinion, tolerated, but the constitution of the Legisia ture to withdraw existing penal provisions so far as they might be act, and not to legalize such sailes. The act, in my opinion, tolerated, but the constitution of the Legisia ture to withdraw existing penal provisions so far as the purports to authorized of the provided and of the provided and of the provided and the place at short.

Corcoran's sister was substituted in his place at short.

Haven, and so Shoch was substituted in his place at short.

First Inning—Stivetts started off wild, giving Tom Dally his base on balls, giving Tow Dally his ba

ture to withdraw existing penal provisions so far as they might apply to poolselling at the times and places specified in the act, and not to legalize such sales. The act, in my opinion, tolerated, but did not authorize pool-selling. The constitutional interdiction against lotteries, and the sale of lottery tickets does not require the Legislature to prescribe punitory redress for the conduct of lotteries or sale of lottery tickets. The matter rested in legislative discretion. The suspension or repeal, or partial repeal, therefore, of existing penal provisions did not contravene any provisions of the Constitution, while the suspension, or repeal, and the remaining penal provisions were generally applicable to every part of the State.

"The Ives pool law provides that races may be conducted upon any race track of an incorporated association for not more than thirty days in each year; that sections 351 and 352 of the Penal Code, shall not apply to such tracks during the number of days during which races are permitted; that racing and poolselling shall be confined to the tracks where the races take place and the days of such races. The effect, however, of these provisions is merely to remove the penal inhibition against the public placing and recording of hets, as contained in sections 351 and 352 of the Penal Code, under certain conditions and restrictions. The act in effect declares that the sections of the Penal Code shall not be operative where compliance with the prescribed conditions exist, and the regulation as to the time and place for the restrictions in contemplation of which the operation of the penal laws is suspended. The result is precisely the same as if the sections of the Penal Code referred to had originally exempted pool-selling at the times and places mentioned in tice Ives Pool law from their operation."

The Senators have had no them was a new world ort of a chance in their visit to New York this time, and unless they manage to do their prettiest this afternoon and down the Giants they'll troop back to the capital with the conviction that what they don't know about the Na-tional game would fill a great big book. Three straight wins was the edict given out to the New Yorks when the Washingtons came here Thursday, and only to-day's contest remained for the Giants

to corral the entire "outfit." Saturdays are now the gala days of the week at the Polo Grounds, and Manager Ward always provides some little diversion to entertain the patrons prior to the But the Penalty Clause, He Con- same. This afternoon the Catholic Protectory Band furnished plenty of brassy melody, and it had an inspiriting effect upon the spectators.

And there was a splendid gathering of the latter, too, long before the game began. It only went to show that the public has again taken baseball under its wing and are patronizing it in a nanded in his opinion to Mayor Schier-en regarding Judge Pryor's decision on to see that by the time "play" was called there wouldn't be less than 6,000

the Ives Pool law.

It is in favor of the race tracks, and there will be no interference by the Brooklyn police on Handicap day, and probably not after that time.

The opinion is in part as follows:

"LAW DEPARTMENT.
"ATTORNEY AND COUNSEL.
"BROOKLYN, May 12, 1884.
"BROOKLYN, May 12, 1884.
"BROOKLYN, May 12, 1884.

Umpire Mr. Hurst.

given in the Baseball Edition of "The Evening World."

NASH TRIES STIVETTS.

Big Crowd to See the Brooklyn Boston Game.

(Special to The Evening World.) BALL GROUNDS, BOSTON, May 12. A larger crowd even than what was practically the opening day, was in at tendance at the South End Grounds to-day.

at condemn or purport to condemn As it was quite warm, was thought at part of the law which suspends or Stivetts would be the proper man to put As it was quite warm, Nash thought

The batt.

The batt.

Lowe. 2d.
Shindle. 2b.
Shindle. 2b.
Branca rf.
C. Dailey. 1b.
Ganzel. c.
Stivetts, P.
Corcoran's sister was sick in New
Haven, and so Shoch was substituted
in his place at short.
First Inning—Silvetts started off wild.
Ing Tom Daly his base on balls
was touched out between fire
and on Shoch's grounder
tier hustling the ball
a double play.
hit by a r

ng, forcin

For other sporting news see 6th

page. MAY ARREST DIXEY.

tioned in the Ives Pool law from their operation."

N. 1, but 160.

George Mason is informed that a "railbird."

in the parlance of the turt, is a person who watches the horses closely in their work. As these persons usually rest their bodies against the rails that feace the track proper they are called "railbirds."

SENATORS TRY AGAIN. LAPLANDERS HERE. A SUICIDAL EPIDEMIC.

But Ward's Men Mean to Make They're Contract Laborers, Too, Tenor Atkinson Puts a Bullet in It Three Straight. Hired by Uncle Sam.

Fine Crowd at the Polo Grounds to Engaged to Instruct Alaskans in Two Others Try Poison and One Driving and Herding Reindeer.

tion at Port Clarence.

It was a picturesque group that sat on 12.—This afternoon afforded the last opportunity to the Washingtons to win a
game from the Giants until July 17,
when they will meet again on these

gvalia steamship Island as she steamed
up the bay and North River this mornsuccessful and others that were not were
straining their
reported by the police this morning.

Christian Atkinson, a tenor in the



PER ASLAKSEN RIST. Sixty years of age.

They were Laplanders, stateen in num-Government for the purpose of teaching the natives of Alaska how to break in and herd the reindeer that have been imported and are being bred there.

The party consisted of five families.

two single men, and four children. With them were ten reindeer dogs. Wm. A. Kjellmann, Superfatendent of the Gov-ernment Reindeer Station at Port Clar-



LAPLANDER WOMAN WITH HER

BAHY.

The men wore costumes of tightly buttoned coats of reindeer hide, reaching below the knees, with woollen trousers, tight at the ankles. Their feet were incased in moccasins. The caps were of red or blue, somewhat after the shape of a "mortar-board." The women were dressed much the same, except that in place of the reindeer skin coats they had coats of heavy red or blue flannel, with skulicaps to match.

In stature they are shorter then the average American, with light blue eyes and high cheek-bones. Each was provided with a leather belt and sheath kinfe. The youngest of the party was three months old and the eldest was sixty-seven. The latter is a robust fellow, and will be employed as the chief herder.



LAPLAND CHILD PLAYING.

MAY ARREST DIXEY.

LAPLAND CHILD PLAYING.

Mr. Kjellmann secured them in the village of Koletokelno, in the mountains of Lapland, in Norway. He placed them will receive 100 kronas (37.50) per month and board. There were forty-three applicants preme Court, signed an attachment for Actor Henry E. Dixey's person for contempt in failing to pay his wife the alimony awarded her by the Court, was not true.

It was said by a well-informed person this mortning, however, that such an attachment had been issued to-day at 11.30 o'clock.

It was also intimate that Mr. Dixey would be at 11.30 o'clock.

It was also intimate that Mr. Dixey would be at 11.30 o'clock.

It was also intimate that Mr. Dixey would be at 11.30 o'clock.

It was also intimate that Mr. Dixey would be at 11.30 o'clock.

ODDS AND ENDS OF SPORTS.

Of the thirty-seven or so members of the Jockey Club there are said to be seven who are active racing men. Most of the town for the mattines on pink teas.

J. B.—Sport's best record for a mile and a guarier is 2.6%, made in the Volunteer Randing Jinner I. 1848. when he defeated Comanche, 51. The Most 160.

Mr. Kjellmann secured them in the village of Koletokelno, in the mountains of Laplander there were forty-three applicants over were chosen.

Mr. Kjellmann secured them in the village of Koletokelno, in the mountains of Laplander three will said be and tower were chosen.

Mr. Kjellmann secured them in the village of Koletokelno, in the mountains of Laplander choracy contract them in the village of Koletokelno, in the mountains of Laplander three will said be and tower death and tower were the said to wer five hundred charge of A. E. Johnson & Co.

The Mr. The three mounts of the death of the will be a contract to Uncle Sam himself.

Weather Forecast.

Weather Forecast.

Weather Forecast.

The weather forecast for the thirty-six hours ending 8 P. M. to-morrow is as follows: Pair; stationary temperature; generally southwesterly winds.

His Brain.

Succeeds.

Concert by the Protectory Band to En Route for the Government Sta- Edward Quaye Cuts His Thront While Delirious.

(Special to The Evening World.)

It was a picture-sque group that sat on Another small suicidal epidemic seem POLO GROUNDS, NEW YORK, May pie-shaped boxes on the deck of the Thin- to have struck New York and vicinity Another small suicidal epidemic seems

choir of St. Augustine's Church, 876 Jef-ferson str.et, made an attempt to kill himself at his home, 68 Jane street, at an early hour this morning, by shooting himself in the right temple with a 22calibre revolver.

physicians say he cannot live. The bullet is unbedded in his brain. Atkinson is twenty-one years old and

he lived, and was a general favorite He was an industrious young man and lived with his parents. His father Charles T. Atkinson, is sexton of the Chapel of the Comforter, at Greenwich and Jane streets.

Christian was an only child, and his parents are distracted over his rash

facturing Company. That day he wen on his vacation. He had been about hi nome ever since and seemingly was in the best of health and spirits.

Last night he started out to attend choir rehearsal at St. Augustine's Church. He returned early, and told his mother that he had changed his mind.

his mother that he had changed his mind.

About 10 o'clock Mrs. Atkinson went into her son's room. He was sitting on a chair, smoking a cigarette. She reprimanded him for smoking, and he told her to go to bed, and he would stop.

About 7 o'clock this morning she again went to his room, and he was sitting in the same chair, evidently not having retired during the night. By his side was the revolver, and blood was flowing from a wound in his right temple. It was impossible to determine when he had shot himself.

A doctor was summoned, but could do nothing. Atkinson was removed to the hospital, but little hopes are entertained of his recovery.

The elder Atkinson could assign no reason for his son's action. He said he was in good health, was in no trouble, and was mixed up in no love affair, so far as he knew.

a Quarrel with a Brother.

Thomas Burns, a laborer, thirty years ld, attempted suicide at his home. 3 aight street, just after midnight by taking a large dose of laudanum. Burns of

SLASHED HIS THROAT.

Morning with a Rasor. Edward Quave, thirty-eight years old mitted suicide shortly after 3 o'clock this morning by cutting his throat with a razor. He lived with his sister Mary. For several days he has been drinking heavily, and it is supposed that he killed himself while in a fit of de-

A few minutes before he killed himself he was heard moving around in the dining-room. Then a crash was heard, and Miss Agnes Fales, who lives in the house, got out of her bed and rushed into the dining-room, and discovered Quaye stretched out upon the floor, with a razor in his hand. He had severed his jugular vein and was unconscious.

Dr. Reagan, of 352 Douglass street, was called in, but Quaye died before he arrived. Coroner Kene was notified.

CAPEWELL A SUICIDE.

iad Been Despondent Since He Shot

CITY ISLAND, N. Y., May 12.-Albert Capewell, twenty-four years old, who took rat poison last Tuesday with suicidal intent while at the Rice & Wiers stock farm, died this morning from the effects of the poison.

Capewell deliberately spread the poison

on a piece of pie and ate it. After eating the poison he was taken ill, and Dr.Mc-Crosson was called, but could not save his life.

Capewell was given to fits of melanchely. His friends believe this was caused by his having killed a burglar who was in the act of breaking into his house in Gloucester, N. J., some years ago.

The suicide of Thomas Connell in Westchester village a short time ago increased Capewell's melancholy. He talked of it continually. Connell and Capewell were great friends.

Tried to Kill Himself with Gas. Patrick Conner, twenty-four years old, who said he was a incorer and had no home, was found in a semi-conactous condition in his room at the

An inspector of the Health Department re-ported to-day that M. D. Arnold & Co., of 285 Cansi street, are celling candy in which is brandy. The Health Board will take action in the limiter at their meeting on Tuesday.

Mrs. Bradford Believed to Be a CAPITOL, ALBANY, May 12.-Gov Flower this morning vetoed twenty bills. Those of interest to New York

> Lawyer Powell Says Other Persons Were Equally Culpable.

by a vaccinator named Willis. She objected to the boy being incenlated, saying that a recent vaccina-

"I'll give him something this time that vill take." In less than two weeks the boy wa

ACTRESS WITH SMALL-POX.

places the blame on Vaccinator Willis.

Miss Kindle Was a Member of (By Associated Press.)

ALBANY, May 12.—Another case of small goal ond an aggravated one was brought to the police patients who was sent to North pox patients who was sent to North Press and the police of the two small pox patients who was sent to North pox patients who was patients who was sent to North pox patients who was patie

actress in the "South Refere the War" company at the Star Theatre, Brooklyn, hast week had been seen that the disease there, and the remainder of the company was taken ill with the disease there, and the remainder of the company was taken ill with the disease there, and the remainder of the company was taken ill with the disease there, and the remainder of the company was alight. The injured were cared for at their homes.

Ice-coln, delicious and healthful, Magic Iron board from a float near his home and was drowned. The body was

COLUMBUS IN BRONZE

Sunol's Statue of Him Unveiled in Central Park.

Gen. Stevenson, Baron Fava, Dr. Depew and Gen. Wilson Speak.

ornellus Vanderbilt Reads a Letter from the Duke of Veragua.

The beautiful day and the occasion attacted about eight thousand persons to Central Park this afternoon when the Sunol statue of Columbus, at the southwest corner of the Mall, just opposite the statue of Shakespeare, was un-

Men prominent in diplomatic, political, social and business worlds touched el-bows with artisans having a Saturday afternoon to themselves and with women and children who were out to enjoy the sunshine and bright new foliage of the

When Gen, James Grant Wilson mounted the platform to announce the commencement of the exercises a great cheer went up from the assembled throng. Then stillness reigned.

It was Gen, Wilson who suggested the rection of the statue in the Park, and there was the evidence in his counten-ance that he considered the joy of the occasion sufficient recompense for all his efforts.

ATTEMPTED A RESCUE.

Strikers Fail to Release a Man Argressed for Assault.

Striking silk weavers almost created a riot in front of the Atlas Silk Works.

At Fifty-second street and Eleventh avenue, late yesterday afternoon. Their places in this mill had been filled by non-union men.

Policeman Radigan, of the West Forty-seventh atreet station, attracted to the place by the commotion, found that strikers had attacked and badly beaten some of the workmen, who had just left the mill. On Radigan's approach, with drawn revolver, the strikers scattery five seventh atreet the mill. On Radigan's approach, with drawn revolver, the strikers scattery.

The policeman chased Edward Fichan, a Swiss silk weaver, twenty-live years of the workmen, who had just left the mill. On Radigan's approach, with drawn revolver, the strikers scattered.

The policeman chased Edward Fichan, a Swiss silk weaver, twenty-live years of the workmen, who had just left the mill. On Radigan's approach, with drawn revolver, the strikers scattered.

The policeman chased Edward Fichan, a Swiss silk weaver, twenty-live years believed to the plainant, and the proposed and the policeman chased Edward Fichan, which supplied to the man of the work of the statue of Columbus, it is well that to the clumber of the proposed to the plainant, and a presence of the policeman chased because of the work of the statue of Columbus to the plainant, and a presence of the plainant, and a presence of the plainant of the

ADAT.

ADAT.

###

Delieve me sincerely your triend.

DUKE OF VERAGUA.

The remainder of the exercises consisted of an address by Baron de Fava. Ambassador from Italiy; poem, "A Mariner's Dream," by Mrs. Julia Ward Home: an address by Senor Don Murunga. Minister from Spain, and an oration by Chauncey M. Depew.

The statue is made of bronze, is lifesize, and is modelled after the Sunoi statue of Columbus in Madrid, although the sculptor made some changes which he considers in the nature of an improvement. The pedestal was designed by Napoleon Le Brun. It represents Columbus with his right hand uplifted and grasping a standard which rests on a globe. The Genealogical and Bliographical Society, of which Mr. Wilson is President, raised the fund for the purchase of the statue.

The Committee of Arrangements was composed of Gen. James Grant Wilson, Cornelius Vanderbilt, Henry G. Marquand, William Waldorf Astor, W. R. Grace, J. J. Goodwin, Thomas L. James and Charles F. Cox.

No House-Warming To-Day.

The Suburban Club, an organization composed of prominent riders and drivers which was receitly founded, was to have had its housewarning this afternson in what is known as McCormick's villa. One Hundred and Seveniy-third street and Fort Washington areanse, but on account the Clab's failure to get the prop-

gic Ironmark from a float near his home this afternoon and was drowned. The body was recovered.

He was taken to St. Vincent's Hospi tal in a comatose condition, and the

Up to last Tuesday young Atkinson

City and vicinity are as follows:
Assembly Bill No. 1,147—For the relief of Sophia G. Vanderwoort, widow of Charles Vanderwoort, deceased her successors or assignees.
"This is a bad bill, reviving, as it does an old claim, which ought to have been dead years ago, it originated jn the building of a market in New York City in 1865, and whether there was ever any justice in it or not it is outlawed by this time. The bill itself is particularly objectionable in form."

Assembly Bill No. 157—To authorize the city of Brooklyn to contained public piers at the foot of North Seventh street, and to acquire land necessary for the same, and to provide for the same, and to provide for the relief of the contribution of this pier, and the

TOOK LAUDANUM IN VAIN.

his twin brother.

He drank considerable last night. When he reached home late he had a quarrel with his brother and took the drug. The brother called a policeman, and the suffering man was removed to the Chambers Street Hospital. It is not thought that he will die.

that he will die.

During the forenoon he was arraigned in Tomba Court. He claimed
he had been drinking and took the
laudanum for a toothache. Justice
Taintor discharged him.

Edward Quaye Kills Himself This

A few minutes before he killed him-

a Burglar at Gloucester.

Karl Kuhl at Cottonwood Falls yesterday.

Rose refused to throw up his hands when ordered, saying: "I shot that

when ordered, saying: "I shot that young man; shoot me."

A mob promptly began organizing to lynch the murderer. Local Business Troubles. Hubert R. Rogers was to-day appointed reriver for the Liuroin Press, in a suit brought Martin Lonk, a judgment creditor. The redepend on the state of the stat

Small-Pox in Albany. indging-house itis Third avenue this mornin

> Pennsylvania Gnardsman Dead. (fly Associated Press.) ex-City Comptroller and Brigadier-General of the First Brigade, National Guard of Pennsylvania, died at noon to-day. He had been ill since No-vember last. He was fity-one years of age.

VETOED BY THE GOVERNOR. VICTIMS AND ACCOMPLICES.

Not Much.

Fugitive from the Law.

The boy's mother said she was visited

tion had not taken.
Willis bared the boy's arm, and said:

Brother Island by the Health Depart-

ATTEMPTED A RESCUE.

The case of Mrs. Bradford, who mysteriously disappeared from her home in Brooklyn owing about \$100,000\$, as told on page three of "The Evening World." assumed a decidedly criminal aspect this afternoon.

Henry A. Powell, of 206 Broadway, lawyer for Charles J. Stoll, the porkpacker, of 71 Graham avenue, Brooklyn, who is one of Mrs. Bradford's victims, said:

"It is a pecular story all around, I believe the suicide theory was put forth by the Hradford's as a subterfuge to cover Mrs. Bradford's flight, I wouldn't

(ily Associated Press.) ST. LOUIS. May 12.—A special depatch to the Post-Dispatch from frowning. Mo., says: "The latest news for brothers, charged with the murder of Gus Meeks, his wife and children, on Thursday night, is to the effect that the The ventict of the Coroner's jury murderers are surrounded. Their cap-ture within twenty-four hours is almost sides of them.

It is thought possible that the Taylors' friends may attempt to aid them, in which event a battle is expected.

The bodies of the victims lie in the Morgue awaiting the Coroner's order for burial.

Father and Two Sons Burned.

A can of varnish exploded this afternoon i

No House-Warming To-Day.

Child Drowned in North River.